



## US Justice Department Reaches Landmark ADA Settlement with State of RI and City of Providence

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By Karen Lee Ziner

PROVIDENCE, RI -- The U.S. Department of Justice announced Thursday a landmark settlement agreement between DOJ and the state of Rhode Island and the city of Providence, to resolve violations of the Americans with Disabilities Act for some 200 Rhode Islanders with intellectual and developmental disabilities.

The action follows revelation of a DOJ investigation into Training Through Placement, a North Providence company that had a sheltered workshop with former students from the Harold A. Birch Vocational Program and other schools.

[Read a copy of the agreement](#)

Under the agreement, disabled individuals will receive supported employment and integrated day services sufficient to support a 40-hour work week. It is expected they will work an average 20 hours a week at a job at competitive wages.



A federal DOJ official, Eve Hill, said at a news conference Thursday that the role of the ADA is to reduce "*the tyranny of segregation*" and provide opportunity to students with disabilities. Birch left students with no choice but to be segregated from society, she said. "*Separate is not equal,*" under today's disability laws, Hill said at the news conference, held at the U.S. Attorney's office in Providence. "*This is a new day in Rhode Island. The students from Birch will be holding regular jobs. The state will help every student succeed. We will be offering real jobs with real wages,*" Hill said. She added, "*Over the next year, students from Birch will have integrated transition services to prepare them for the real world.*"

Read a copy of Full Comments of DOJ Official Eve Hill:  
<http://www.justice.gov/crt/opa/pr/speeches/2013/crt-speech-130613.html>

The DOJ will continue its statewide investigation into the state's day activity service system for people with intellectual and development disabilities. The investigation found that some 90 disabled workers at TTP were not in appropriate integrated settings, and that students in the Birch sheltered workshop "*were at serious risk of unnecessary placement at TTP following their exit from school.*"

According to TTP reports, TTP workers with disabilities made an average \$1.57 per hour, with one person making as little as 14 cents per hour. Providence School Superintendent Susan Lusi said the circumstances uncovered at Birch *"are disturbing. We have taken immediate action."* The school remains open, but the sheltered workshop has been closed down, she said.



*"The important work of teaching and learning will continue. We have communicated with our families. We will be working on getting new training programs ready."* Lusi said she never received any complaints from students or parents at Birch. She said a report by the Council of Great City Schools in April of 2011 did make reference to Birch and echoed some of the concerns released Thursday morning.

*"There was a lack of oversight on multiple levels. We failed to keep up with changes in practice,"* Lusi said.



Craig Stenning, director of the Rhode Island Department of Behavioral Health Care, Developmental Disabilities and Hospitals, said the state is going to continue to reach out to the business community to find opportunities for Birch students. Stenning said the state's intent is to provide services that shall no longer operate segregated day programs. The state is committed to a system of change that will transition students into an adult system.

He also said there is a national movement to integrate individuals and to make sure they have the right to lead integrated lives.

*Reported by Journal Staff Writer Linda Borg*